

Exhibit M

United States of America ex rel. Ven-a-Care of the Florida Keys, Inc. v. Dey, Inc., et al.,
Civil Action No. 05-11084-PBS

Exhibit to Plaintiff's Memorandum In Support of United States' Motion
In Limine Regarding Testimony of Raymond C. Winter and
Sequencing of Deposition Testimony

No. GV002327

THE STATE OF TEXAS

ex rel.

VEN-A-CARE OF THE
FLORIDA KEYS, INC.,

Plaintiffs,

V.

DEY, INC., DEY, L.P., A LIMITED
PARTNERSHIP, ROXANE
LABORATORIES, INC.,
WARRICK PHARMACEUTICALS
CORPORATION, SCHERING-PLOUGH
CORPORATION, SCHERING
CORPORATION, MERCK SANTE S.A.S.
(f/k/a LIPHA, S.A.), MERCK S.A. (f/k/a
MERCK-LIPHA, S.A.), MERCK, KGaA,
and EMD, INC.,

Defendants.

IN THE DISTRICT COURT OF

TRAVIS COUNTY, TEXAS

53rd JUDICIAL DISTRICT

ORDER VACATING SANCTIONS ORDER DATED JANUARY 8, 2003

Before the Court for consideration is the Motion to Vacate Sanctions Order dated January 8, 2003 filed by Defendant Dey, Inc. The Court finds that the Movant and the Plaintiffs have entered into a Settlement Agreement that resolves all controversies in this action and that as part of the Settlement Agreement the Plaintiffs have agreed not to oppose this Motion. The Court finds that the granting of this motion is consistent with the spirit of the parties' Settlement Agreement and the parties' desire to resolve the matters in controversy between them. It is therefore

ORDERED that, prior to the dismissal of all claims asserted in the above-styled
and numbered cause against Defendant Dey, Inc. and Dey, L.P., this Court hereby

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 AGREED ORDER OF DISMISSAL

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vacates that certain Order Granting Sanctions dated January 8, 2003, previously rendered against Dey, Inc. and Robert Francis Mozak.

Signed this 12 day of June, 2003.


JUDGE PRESIDING